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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PETER CHAVEZ GODINEZ,

Plaintiff,

v.

FBI SPECIAL AGENT ERIC
LAMOIE, et al.,

Defendants.

No. C 07-3143 RMW (PR)

ORDER CORRECTING
ERRONEOUS FILING;
CLOSING CASE;
INSTRUCTIONS TO CLERK

18 Plaintiff, a detainee at the Santa Clara County Jail and frequent litigant in this
19 court, filed the instant civil rights complaint pursuant to 42 U.S.C. § 1983 and a motion to
20 proceed in forma pauperis on June 14, 2007. Plaintiff filed an earlier civil rights action in
21 this court, in case no. C 05-2276 RMW (PR), which was dismissed as frivolous, alleging
22 similar claims against the same defendants as the instant complaint. Here, plaintiff
23 requests that the court reopen his earlier case and reconsider his claims. Plaintiff also
24 refers to his earlier action in the instant complaint.

25 It appears the instant complaint was mistakenly received and opened as a new case
26 in this action. Because the instant case was opened erroneously, the clerk shall terminate
27 all pending motions and close the file. The clerk shall copy the complaint (docket no. 1)
28 in the instant case and transfer the document to case no. C 05-2276 RMW (PR).

1 The court will address plaintiff's request to reopen his earlier action in case no. C 05-
2 2276 RMW (PR) in a separate written order.

3 IT IS SO ORDERED.

4 DATED: 6/22/2007

/s/ Ronald M. Whyte

RONALD M. WHYTE

United States District Judge

1 This is to certify that on 6/22/2007, a copy of this
2 ruling was mailed to the following:

3 Peter Chavez Godinez

4 03031558

5 Santa Clara County Dept. of Corrections

6 885 North San Pedro Street

7 San Jose, CA 95110